

Appl. No. 09/712,935  
Amdt. dated March 22, 2005  
Reply to Notice of March 4, 2005

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (currently amended) A computer-based method for conducting an on-line auction of a quantity of goods, comprising:
  - from a communications network, receiving a plurality of proxy bids comprising a limit price and a requested quantity;
  - sorting the proxy bids in a descending order based upon the limit prices for the proxy bids;
  - determining at least one winner of the on-line auction comprising:
    - based on the descending order, assigning a winning bidder designation to a first highest one of the proxy bids;
    - from the quantity of goods, allocating the requested quantity of the proxy bid of the winning bidder to the winning bidder;
    - when the quantity of goods is greater than zero, assigning a next winning bidder designation to a next highest one of the proxy bids and repeating the allocating of the requested quantity; [[and]]
  - after the winner determining, generating a winning sale price to assign to each of the winning bidders[[.]] ;
  - allocating a portion of the requested quantity of the proxy bid of the highest losing proxy bid to the highest losing proxy bid; and
  - generating a second winning sale price for the highest losing proxy bid that is equivalent to the limit price of the highest losing proxy bid.
2. (canceled)
3. (previously presented). The method according to claim 1, wherein the step of generating the winning sales price further includes:
  - determining from the descending order a highest losing proxy bid after a last selected one of the next winning proxy bids;
  - determining the limit price of the highest losing proxy bid ; and
  - incrementing the limit price of the highest losing proxy bid by a predetermined increment level to assign the winning sales price .

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4. (canceled)

5. (previously presented) The method according to claim 3, wherein a bidder associated with one of the winning proxy bids declines the allocated goods.

6. (canceled)

7. (original) The method according to claim 3, wherein the predetermined increment level is a monetary unit.

8. (original) The method according to claim 3, wherein the predetermined increment level is one dollar.

9. (currently amended) A system for conducting an on-line auction, comprising:

a first module for receiving a plurality of proxy bids comprising a limit price and a requested quantity;

a sorting engine for sorting the proxy bids in a descending order based upon the limit prices for the proxy bids;

a winning bid engine for determining at least one winner of the on-line auction, wherein the winner determining comprises:

based on the descending order, assigning a winning bidder designation to a first highest one of the proxy bids;

from the quantity of goods, allocating the requested quantity of the proxy bid of the winning bidder to the winning bidder;

when the quantity of goods is greater than zero, assigning a next winning bidder designation to a next highest one of the proxy bids and repeating the allocating of the requested quantity; and

a winning price engine for generating a winning sale price after completion of the winner determining by the winning bid engine, for allocating a portion of the requested quantity of the proxy bid of the highest losing proxy bid to the highest losing proxy bid, and for generating a second winning sale price for the highest losing proxy bid that is equivalent to the limit price of the highest losing proxy bid.

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10. (canceled)

11. (previously presented) The system according to claim 9, wherein the winning price engine determines from the descending order a highest losing proxy bid after a selected one of the next winning proxy bids, determines the limit price of the highest losing proxy bid, and increments the limit price of the highest losing proxy bid by a predetermined increment level to assign the winning sales price.

12. (currently amended) A system for conducting an on-line auction, comprising:

means for receiving a plurality of proxy bids comprising a limit price and a requested quantity

means for sorting the proxy bids in a descending order based upon the limit prices for the proxy bids;

means for determining at least one winner of the on-line auction, wherein the winner determining comprises:

based on the descending order, assigning a winning bidder designation to a first highest one of the proxy bids;

from the quantity of goods, allocating the requested quantity of the proxy bid of the winning bidder to the winning bidder;

when the quantity of goods is greater than zero, assigning a next winning bidder designation to a next highest one of the proxy bids and repeating the allocating of the requested quantity; and

means for generating a winning sale price after completion of the winner determining by the winning bid engine, for allocating a portion of the requested quantity of the proxy bid of the highest losing proxy bid to the highest losing proxy bid, and for generating a second winning sale price for the highest losing proxy bid that is equivalent to the limit price of the highest losing proxy bid.

13. (canceled)

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14. (previously presented) The system for conducting an on-line auction according to claim 12, wherein the means for generating a winning sale price determines from the descending order a highest losing proxy bid after a selected one of the next winning proxy bids, determines the limit price of the highest losing proxy bid, and increments the limit price of the highest losing proxy bid by a predetermined increment level to assign the winning sales price.

Claims 15-19 (canceled)

20. (withdrawn) The system of claim 9, wherein the winning price engine determines a last winner sale price if a last winner accepts a remaining portion of the total quantity of goods that is less than a bid quantity submitted in a last winner proxy bid of the last winner, and

wherein the last winner sale price is equivalent to a bid price submitted in the last winner proxy bid.

21. (withdrawn) The system of claim 20, wherein the last winner sale price applies to the last winner and the winning bid price applies all other of the at least one winner of the on-line auction.

22. (withdrawn) The system of claim 12, comprising a means for generating a last winner sale price, wherein if a last winner accepts a remaining portion of the total quantity of goods that is less than a bid quantity submitted in a last winner proxy bid of the last winner then the means for generating a last winner sale price sets a last winner sale price that is equivalent to a bid price submitted in the last winner proxy bid.

23. (withdrawn) The system of claim 22, wherein the last winner sale price applies to the last winner and the winning bid price applies all other of the at least one winner of the on-line auction.